

Message Text

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ACTION L-02

INFO OCT-01 EUR-12 IO-10 ISO-00 SSO-00 SS-15 DODE-00 NSC-05

CU-02 CIAE-00 PM-03 INR-07 ACDA-05 NSAE-00 PA-01

PRS-01 SP-02 TRSE-00 SAJ-01 USIE-00 INRE-00 NSCE-00

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O R 301833Z JUN 75

FM USMISSION GENEVA

TO SECSTATE WASHDC IMMEDIATE 4179

INFO AMEMBASSY BONN

USMISSION NATO BRUSSELS

USMISSION USUN NEW YORK

AMEMBASSY MOSCOW

C O N F I D E N T I A L GENEVA 5020

FOR L/EUR AND EUR/RPM

EO 11652: GDS

TAGS: CSCE, FPOR, XG

SUBJ: CSCE: ORGANIZATION OF FINAL DOCUMENTS

REF: (A) STATE 146705; (B) GENEVA 4947; (C) GENEVA 4875

(D) STATE 153472

1. ON JUNE 30 AN INFORMAL WORKING GROUP ON ORGANIZATION OF THE FINAL DOCUMENTS AND DRAFTING OF THE FINAL ACT TOOK UP THE QUESTION OF THE DISCLAIMER ON THE NATURE OF THE DOCUMENTS FOR INCLUSION IN THE FINAL ACT.

2. ALL THOSE PRESENT WERE INFORMED OF US TEXT FOR THIS PURPOSE CONTAINED REF A AND UK TEXT REPORTED REF B AND AGREED THAT SOME FORM OF DISCLAIMER WAS NEEDED AS WELL AS A LETTER TO UN SECRETARY-GENERAL ALONG THE LINES DESCRIBED REF C.

3. ROMANIANS AND SWISS PRESSED TO HAVE NEGATIVE STATEMENTS, CONFIDENTIAL

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STATING WHAT DOCUMENTS ARE NOT, IN THE LETTER AND INCLUDE

"POSITIVE"DISCLAIMER, STATING NATURE OF DOCUMENTS I.E. POLITICAL AND MORAL COMMITMENTS, IN THE FINAL ACT. US AND UK DELS WERE NOT ENTIRELY SATISFIED WITH THIS DISTINCTION BUT AGREED THIS MIGHT BE POSSIBLE IF PROPER WORDING COULD BE FOUND.

4. ROMANIANS OBJECTED TO CHARACTERIZATION OF CONFERENCE DOCUMENTS IN US TEXT AS "DECLARATIONS, RECOMMENDATIONS AND RESOLUTIONS" AS OPENING AN INTERMINABLE DISPUTE OVER CHARACTER OF EACH OF CONFERENCE DOCUMENTS AND WORD "QUIDED" IN US FORMULATION WHICH THEY FELT WAS TOO WEAK. SWISS, WHILE FINDING US TEXT AN ACCEPTABLE BASIS FOR DRAFTING, CONCURRED. US RAISED PROBLEMS WITH UK TEXT SET FORTH REF D.

5. GROUP THEN TURNED TO DRAFTING A FORM OF LETTER WHICH WOULD BE PRESENTED BY FINNISH DEL TO COORDINATING COMMITTEE AT TIME OF ADOPTION OF ALL STAGE II TEXTS AS A DRAFT OF THE LETTER FINNA INTEND TO SEND TO WALDHEIM. COORDINATING COMMITTEE WOULD ADOPT TEXT BY CONSENSUS AND RECORD TEXT IN THE JOURNAL. TEXT SUGGESTED BY ROMANIANS, WHICH GENERALLY MET WITH FAVORABLE RESPONSE, READS AS FOLLOWS:

BEGIN TEXT:

-- THE HIGH REPRESENTATIVES OF THE STATES PARTICIPATING IN THE CONFERENCE ON SECURITY AND COOPERATION IN EUROPE HAVE REQUESTED THE GOVERNMENT OF THE REPUBLIC OF FINLAND TO TRANSMIT THE TEXT OF THE FINAL ACT, ADOPTED AT HELSINKI ON . . . , WITH A VIEW TO ITS DISTRIBUTION AS A DOCUMENT OF THE UNITED NATIONS GENERAL ASSEMBLY.

-- CONSIDERING THAT IT MIGHT BE IN THE INTEREST OF ALL THE UNITED NATIONS MEMBER STATES TO BE INFORMED OF THE PROVISIONS ADOPTED BY THE CSCE, INCORPORATED IN THIS FINAL ACT, I REQUEST, MR. SECRETARY GENERAL, THAT IT BE DISTRIBUTED AS A GENERAL ASSEMBLY DOCUMENT FOR THE THIRTIETH SESSION.

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-- NEITHER THE FINAL ACT NOR ANY OF THE DOCUMENTS REFERRED TO IN IT ARE TREATIES OR INTERNATIONAL AGREEMENTS WITHIN THE MEANING OF ARTICLE 102 OF THE UNITED NATIONS CHARTER, AND THEY SHOULD NOT THEREFORE BE REGISTERED AS SUCH. END TEXT.

6. ROMANIANS HOPED THAT, WITH SUCH A LETTER US, UK AND FRG DEMANDS FOR A DISCLAIMER IN TEXT COULD BE

MODIFIED FRENCH REP SUGGESTED, AS DISCLAIMER IN FINAL ACT IN ADDITION TO LETTER, ADDING PHRASE TO A SENTENCE IN ROMANIAN DRAFT FINAL ACT SO IT WOULD READ:
"THE GOVERNMENT OF THE REPUBLIC OF FINLAND IS ASKED TO TRANSMIT THE TEXT OF THE PRESENT FINAL ACT TO THE SECRETARY-GENERAL OF THE UNITED NATIONS FOR DISTRIBUTION AS A DOCUMENT OF THE GENERAL ASSEMBLY OF THE UN, WHICH FINAL ACT BY ITS NATURE IS NOT SUSCEPTIBLE TO REGISTRATION UNDER ARTICLE 102 OF THE CHARTER".

7. UK QUESTIONED WHETHER LETTER OR FINAL ACT SHOULD REFER TO CSCE DOCUMENT AS A GENERAL ASSEMBLY DOCUMENT OR RATHER AS A DOCUMENT OF THE SECURITY COUNCIL OR SECRETARY GENERAL. UK STATED ITS CONCERN THAT SOVIETS MIGHT INSCRIBE CSCE RESULTS FOR DEBATE BY GA UNDER ITS ANNUAL ITEM ON STRENGTHENING SECURITY IF DOCUMENTS WERE A GENERAL ASSEMBLY DOCUMENT.

8. INFORMAL GROUP WILL MEET JULY 1 AT 1800 GENEVA TIME TO DRAFT LETTER TO UN AND ACCOMPANYING DISCLAIMER FOR FINAL ACT. DELEGATION WOULD APPRECIATE DEPARTMENT COMMENTS ON TEXTS IN PARA 5 AND 6 AND QUESTION RAISED IN PARA 7 IN TIME FOR MEETINGS.

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 JAN 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: DOCUMENTS, COLLECTIVE SECURITY, TEXT, INTERGOVERNMENTAL COOPERATION
Control Number: n/a
Copy: SINGLE
Draft Date: 30 JUN 1975
Decaption Date: 01 JAN 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Authority: GolinoFR
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1975GENEVA05020
Document Source: CORE
Document Unique ID: 00
Drafter: n/a
Enclosure: n/a
Executive Order: GS
Errors: N/A
Film Number: D750226-0712
From: GENEVA
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1975/newtext/t1975064/aaaaadio.tel
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Original Classification: CONFIDENTIAL
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Original Previous Classification: n/a
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Review Markings:

Margaret P. Grafeld
Declassified/Released
US Department of State
EO Systematic Review
06 JUL 2006

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Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
Secure: OPEN
Status: NATIVE
Subject: CSCE: ORGANIZATION OF FINAL DOCUMENTS
TAGS: PFOR, XG, CSCE
To: STATE
Type: TE
Markings: Margaret P. Grafeld Declassified/Released US Department of State EO Systematic Review 06 JUL 2006